

1.0 INTRODUCTION

The California Desert Conservation Area (CDCA) is a region encompassing over ten million acres of public land in five southern California counties: Imperial, Riverside, San Bernardino, Kern, and Inyo Counties. These CDCA public lands are managed by the Department of the Interior, Bureau of Land Management (BLM). The BLM is a federal agency responsible for managing the public lands in accordance with federal law, regulation and policy in order to sustain the health, diversity and productivity of the public lands for the use and enjoyment of present and future generations.

The Federal Land Policy and Management Act of 1976 (FLPMA), BLM's organic act, directs the BLM to prepare land use plans which provide guidance, with public input, on how the public lands are to be managed. All subsequent activities on the BLM-managed public lands must be in conformance with the approved land use plan. The *California Desert Conservation Area Plan* (CDCA Plan, 1980, as amended) provides land use plan guidance for the entire California Desert Conservation Area. The CDCA Plan has undergone numerous minor amendments over the past 20 years, and is currently undergoing major amendments, divided into six eco-regions/planning areas (Figure 1-1): (1) the Northern and Eastern Colorado Desert Coordinated Management planning area, (2) the Northern and Eastern Mojave Desert Coordinated Management planning area, (3) the West Mojave Desert planning area, (4) the Coachella Valley planning area, (5) the Western Colorado Bioregional planning area, and (6) the Imperial Sand Dunes planning area. Refer to BLM's web site at www.ca.blm.gov for more information about these other plans.

In 1991, the California Biodiversity Council was formed, consisting of more than two dozen federal and state natural resources agencies (including the Bureau of Land Management), the University of California, county boards of supervisors, and resource conservation districts. They are signatories to an unprecedented agreement committing themselves to cooperate, communicate, and foster regional efforts to promote biodiversity conservation.

For the first time, these local, state, and federal agencies and the other partners in the council have teamed up to conserve biodiversity across administrative boundaries. Hand-in-hand with conservation is the cultivation of compatible economic development carried out in such a way that it balances the needs of all species.

A number of bioregional grassroot groups have formed to balance biodiversity conservation with community and economic stability. Such a consortium was formed through a memorandum of understanding in 1996 for the Coachella Valley Multiple Species Habitat Conservation Plan, consisting of nine Coachella Valley cities, Riverside County, State agencies, the BLM and other Federal agencies.

The Coachella Valley California Desert Conservation Area (CDCA) Plan Amendment was developed in partnership with the local jurisdictions of the Coachella Valley, special interest groups, and State and Federal agencies, in support of the aforementioned 1996

memorandum of understanding and the 1991 biodiversity agreement. This Plan Amendment was prepared in compliance with the planning requirements established in Section 202 of the Federal Land Policy and Management Act of 1976 (BLM's organic act), the planning regulations at Title 43 Code of Federal Regulations Part 1610, and the National Environmental Policy Act of 1969 (NEPA). The BLM State Director is delegated to approve the Proposed Plan. Citizens who feel adversely affected by the Proposed Plan may protest those proposed decisions to the Director of the BLM in accordance with the protest procedures outlined in Title 43 Code of Federal Regulations Part 1610.5-2. These procedures are described in the front of this document. **Written protests must be filed with the Director on or before November 18, 2002.**

1.1 Description of the Coachella Valley Planning Area

The Bureau of Land Management manages approximately 28 percent (337,000 acres) of the total federal and non-federal land base in the Coachella Valley planning area (1,195,057 acres). The Coachella Valley planning area (Figure 1-2) is located approximately 100 miles east of Los Angeles in central Riverside County, California, plus a small portion in San Bernardino County. The Coachella Valley planning area does not include public lands within BLM's South Coast planning area and excludes in its entirety the Chocolate Mountain Aerial Gunnery Range. Management of this military installation shall be addressed through BLM's Northern and Eastern Colorado Desert Plan in collaboration with the United States Marine Corps.

The Coachella Valley itself is a broad, low elevation valley which runs northwest to southeast along the westernmost limits of the Colorado Desert portion of the Sonoran Desert. It is bounded by the San Bernardino Mountains to the northwest, the Little San Bernardino Mountains to the northeast, the Salton Sea to the southeast, and the Santa Rosa and San Jacinto Mountains National Monument to the southwest. The Coachella Valley is within the jurisdiction of the BLM's Palm Springs-South Coast Field Office.

Once a vast blowsand ecosystem covering more than 100 square miles, the Coachella Valley today is home to a series of fast growing communities stretching from the City of Palm Springs at its western end to the City of Indio and outlying communities of Mecca, Coachella, Thermal, and North Shore in the southeast. Of particular interest, is the impact this rapid growth and urbanization is having on the surrounding landscape. Between 1990 and 2000, the Coachella Valley population grew by 38 percent. Over the next 20 years, the Valley's population is projected to grow from its current population of 318,000 residents to a total of nearly 600,000 residents.

The BLM-managed lands are becoming increasingly important to the public as a source of recreational opportunities, open space, community infrastructure support, and habitat for threatened and endangered species. Since 1980, when the CDCA Plan was initially completed, ten Coachella Valley species have been listed as endangered by the U.S. Fish and Wildlife Service. In addition, one species is proposed for listing and numerous others have been identified as candidate species.

Many of the BLM-managed lands within the planning boundary have existing land use designations for the protection of natural and cultural resource values, including five Areas of Critical Environmental Concern, all or portions of four wilderness areas, and a congressionally-designated national monument. A description of these existing land use designations is provided in Chapter III “Affected Environment.”

1.2 Purpose and Need.

The BLM in the Coachella Valley planning area has a need:

- 1) to provide for multiple use and sustainable development of the public lands while making progress towards healthy, properly functioning ecosystems;
- 2) to provide for the recovery of federal and state listed species;
- 3) to avoid future listings of sensitive species;
- 4) to provide recreational opportunities on the public lands;
- 5) to make available mineral and energy resources on the public lands; and
- 6) to work collaboratively with the local jurisdictions to facilitate land management consistency, management effectiveness and cost-efficiency across jurisdictional boundaries.

The purpose of this plan amendment is to develop a general plan of action (in accordance with Title 43 *Code of Federal Regulations* Part 1610) for the BLM-managed public lands that will meet the aforementioned needs while at the same time:

- 1) minimizing resource use conflicts;
- 2) not unduly burdening BLM resources and funding capability, including those for maintenance activities;
- 3) ensuring actions are manageable and can be implemented relative to the urban/wildland interface and the public/private interface;
- 4) providing for coordination with the members of the public, local jurisdictions, State and other Federal agencies to garner the public support needed to effectively implement the plan.

1.3 Issues Addressed

The following planning issues have been identified for examination in the Coachella Valley CDCA Plan Amendment. These issues were developed with input from BLM staff and management, members of the public through public scoping, and close coordination with the local jurisdictions, State and other Federal agencies.

- ▶ What indicators may be used to measure and monitor progress towards healthy, properly functioning ecosystems on the BLM-managed public lands?
- ▶ Which rivers in the Coachella Valley are eligible and suitable to recommend for Wild and Scenic River designation?

- ▶ What land uses and recreational opportunities in Peninsular Ranges bighorn sheep habitat are compatible with promoting recovery of bighorn sheep?
- ▶ What opportunities for motorized-vehicle access, mineral extraction and energy projects are available while avoiding future listings of sensitive species, and minimizing impacts to cultural resources and Native American values?
- ▶ How should the branded horses in the Indian Canyons which cross both Tribal and BLM jurisdictional boundaries be most effectively and efficiently managed?
- ▶ Are the Wild Horse and Burro Herd Management Area designations in the Coachella Valley appropriate in light of the current herd levels, potential habitat use conflicts with bighorn sheep, and the checkerboard public land ownership pattern?
- ▶ Is grazing in Whitewater Canyon an appropriate use in light of the checkerboard public land ownership pattern and available legal access across private land?
- ▶ How can the interface between the Mecca Hills and Orocopia Mountains Wildernesses and off-highway vehicle use areas be managed to provide recreation opportunity and minimize intrusions into Wilderness?
- ▶ What BLM land use allocations/designations are needed to facilitate consistency with the Coachella Valley Multiple Species Habitat Conservation Plan and to identify compatible uses within the reserve system?

1.4 Alternatives Considered and Not Analyzed in Detail

Implement the Center for Biological Diversity lawsuit settlement stipulations. Parts of the lawsuit settlement stipulations are similar to proposed actions already being considered through the various multi-jurisdictional planning efforts, including some incorporated into this CDCA Plan Amendment. On the whole, the lawsuit stipulations as an alternative would fail to meet the BLM's purpose and need as described above. The stipulations are not comprehensive in the sense that they do not address all parts of the planning area nor all components of a land management program necessary to: 1) address the issues covered by the plan amendment, and 2) resolve conflicts where possible. The ability to resolve conflicts is of particular concern as these stipulations require unilateral action by BLM setting aside collaborative management of the public lands in a planning area with complex ownerships and jurisdictions. Because the stipulations were developed as part of a lawsuit settlement, public participation was curtailed, resulting in limited public support for the stipulations and their implementation. In complying with these stipulations, the BLM had very little flexibility to assign funds and resources efficiently, leading to situations where: 1) the actions were unduly costly relative to their intended benefit, and 2) resources and staff were diverted from more productive programs and projects. The stipulations also had unintended consequences such as diverting vehicle use into previously undisturbed areas or creating trespass on private lands.

Close all motorized-vehicle routes/areas within the Coachella Valley. This proposal would fail to meet the purpose and need for this plan as it would severely restrict public access and would significantly reduce recreational opportunities on the public lands.

The cost of hiring enough law enforcement rangers to effectively enforce such extensive closures would be prohibitively expensive.

Close all hiking/biking/equestrian trails within bighorn sheep critical habitat from January 1 through September 30 of each year. This proposal would fail to meet the purpose and need of this plan by severely restricting recreational opportunities within the Santa Rosa and San Jacinto Mountains in order to avoid most potential human interactions with bighorn sheep. There are studies or articles that describe stress effects to sheep due to recreation or suggest the possibility of contribution to population level effects (MacArthur et al. 1979 and 1982, Miller and Smith 1985, Papouchis et al. 2000, King and Workman 1986, Geist 1971, Krausman et al. 2000). However, not all research supports the conclusion that recreation has a detrimental effect on bighorn sheep (Hamilton et al. 1982, Hicks and Elder 1979). Population level effects remain largely uncertain and unknown. Given the local tendency for sheep to enter into urban interface areas, there is evidence that local sheep can and do habituate to human activity, although this is not desirable nor consistent with long-term recovery of bighorn sheep. There is also widespread community interest to utilize the trails in the Santa Rosa and San Jacinto Mountains, especially in the winter and spring months. Public support, particularly by trail users and local governments, for such a broad scale closure was not in evidence in public scoping. Without the necessary public support, the cost of hiring enough law enforcement rangers to effectively enforce these closures would be prohibitively expensive.

Open year-round all trails within bighorn sheep critical habitat to hiking, biking, equestrian and dog use. This proposal would fail to meet the purpose and need of this plan by not promoting recovery of the federally-listed, endangered Peninsular Ranges bighorn sheep. While the population level effects of stress-inducing disturbance on sheep during the lambing season are unknown, there is evidence that human encounters can result in adverse effects to both ewes and lambs (Geist 1971, Light and Weaver 1973, King and Workman 1986, Wagner and Peek 1999, Wehausen 1980). Exactly how much and what kind of disturbance may have a population effect is not well documented at this time. It is known that dogs can create severe and persistent stress to bighorn sheep, probably because they are seen as predators (Geist 1971, MacArthur et al. 1979, MacArthur et al. 1982, Purdy and Shaw 1981, Goodson et al. 1999). Some level of management is necessary to limit potentially adverse impacts to bighorn sheep in the portion of the Peninsular Ranges within the planning area.

1.5 Relationship to Other Plans

BLM planning regulations at 43 CFR 1610.3-2 require BLM planning documents to be consistent with officially approved resource related plans, policies and programs of other Federal agencies, State and local governments, and Indian Tribes, so long as these plans are consistent with the purposes, policies and programs of Federal laws and regulations applicable to public lands. The Coachella Valley California Desert Conservation Area Plan Amendment is being developed in concert with several

planning efforts of relevance to the Coachella Valley. These plans and their relationship to this plan amendment are described below.

The Coachella Valley Multiple Species Habitat Conservation Plan/ Natural Communities Conservation Plan (CVMSHCP). In 1996, the BLM signed a Memorandum of Understanding along with nine Coachella Valley cities, Riverside County, and State and other Federal agencies to initiate preparation of the CVMSHCP. The purpose of the CVMSHCP is to utilize a landscape-based approach to provide for the long-term conservation of multiple sensitive species and their habitats, while streamlining “take” permitting processes. While the CVMSHCP process is primarily geared towards resolving private and city-county planning issues, Federal participation is often necessary to achieve landscape-level species protection for some of the planning area.

Through the Coachella Valley CDCA Plan Amendment process, the BLM would determine how best to participate with the CVMSHCP in the context of BLM’s land management mission as a Federal agency.

The CVMSHCP planning boundary encompasses 1,205,311 acres located in the central portion of Riverside County, California. The CVMSHCP planning boundary generally is defined by the ridgelines of the San Jacinto, Santa Rosa and Little San Bernardino Mountains. It extends from the Imperial and San Diego County lines on the south, including portions of the Salton Sea, to the Cabazon/San Gorgonio Pass area in the northwest. On the east, it extends along Interstate 10 to include the Orocopia Mountains and the Chiriaco Summit area. Approximately 24 percent of the planning area consists of BLM-managed lands, while private lands total about 42 percent. The remaining 34 percent includes Native American tribal lands, State and other public and quasi-public lands. The CDCA Plan Amendment planning boundary extends beyond the CVMSHCP planning boundary, incorporating BLM-managed public lands within the Santa Rosa Wilderness, public lands surrounding Coyote Canyon in Riverside County, and those portions of the San Gorgonio Wilderness and Big Morongo Canyon Area of Critical Environmental Concern (ACEC) within San Bernardino County.

The CVMSHCP is based upon two processes designed to accommodate community growth and development without compromising species protection. In 1982, Congress amended the Endangered Species Act to allow for the creation of Habitat Conservation Plans (HCP). The intent of the HCP process is to provide a community-based method for reducing conflicts between threatened and endangered species and economic development. Seldom used in its first decade, the U.S. Fish and Wildlife Service and the National Marine Fisheries System took steps in the early 1990s to streamline and strengthen the HCP process. Since 1992, more than 241 HCPs have been developed, covering 6.2 million acres. The BLM was one of the first federal agencies to become involved in Habitat Conservation Planning. In 1985, it participated in the Coachella Valley Fringe-toed Lizard Habitat Conservation Plan, the second Habitat Conservation Plan ever prepared in the United States. This plan created three preserves to protect habitat for the endangered fringe-toed lizard. A 1994 study prepared for the Coachella Valley Association of Governments (CVAG) recommended that a Multiple Species

Habitat Conservation Plan be prepared for the Coachella Valley in order to meet threatened and endangered species conservation needs while still allowing for continuing economic growth and community development.

In 1991, the State of California built upon the HCP framework through its adoption of the Natural Community Conservation Planning (NCCP) program. This program authorizes the creation of regional conservation and development plans meant to protect entire communities of native plants and animals while streamlining the process for compatible economic development in other areas. The CVMSHCP meets the criteria of both the Federal government's Habitat Conservation Plan and the State's Natural Communities Conservation Planning processes.

The CVMSHCP will include a combined Environmental Impact Review (EIR), as required by the California Environmental Quality Act, and Environmental Impact Statement (EIS), as required by the National Environmental Policy Act. Upon completion of the CVMSHCP, the BLM proposes to adopt management measures in support of this plan as an activity (implementation) level plan for public lands within the planning area. The activity plan would be tiered to BLM's California Desert Conservation Area Plan Amendment for the Coachella Valley. This plan amendment was developed in tandem with the Coachella Valley Multiple Species Habitat Conservation Plan in order to provide the framework for those implementation actions which will support the landscape-level approach to conservation and provide for community needs.

Santa Rosa and San Jacinto Mountains Trails Management Plan. The CVMSHCP will include a trails management plan for the Santa Rosa and San Jacinto Mountains. Trails management that is coordinated across jurisdictions will be far more effective in both supporting recovery of bighorn sheep populations and providing recreation opportunities for the public. The BLM included the draft trails management plan alternatives for the Santa Rosa and San Jacinto Mountains in the June 2002 publication of the Draft Coachella Valley CDCA Plan Amendment /DEIS in order to: (1) benchmark progress made to date through consultations with the local jurisdictions and wildlife agencies, and (2) to provide the public a clear indication of the range of alternatives being evaluated given the level of interest and involvement in this component of the sheep recovery strategy. The DEIS was not intended to complete BLM's requirements in accordance with the National Environmental Policy Act for the trails management plan. Hence, only the Proposed Coachella Valley CDCA Plan Amendment is included in this Final Environmental Impact Statement. See Section 1.6.4 "Trails Management Plan Guidance" for additional information.

The Flat-Tailed Horned Lizard Rangewide Management Strategy. For the past several years, the BLM has been participating as a partner in developing and updating a rangewide management strategy for the flat-tailed horned lizard (FTHL) in Arizona and California. The rangewide management strategy is similar to a recovery plan (prepared in accordance with the Endangered Species Act) in its format and function. That is the rangewide management strategy provides guidance for the conservation and

management of FTHLs. Participating agencies are then responsible for incorporating measures from the rangewide management strategy into their land use plans and project proposals, in compliance with the National Environmental Policy Act of 1969.

The Coachella Valley CDCA Plan Amendment proposes the following land use plan decisions in furtherance of the flat-tailed horned lizard rangewide management strategy:

Flat-Tailed Horned Lizard Rangewide Management Strategy	Proposed Coachella Valley California Desert Conservation Area Plan Amendment
1. Delineate and designate five FTHL management areas (MAs) and one flat-tailed horned lizard research area (RA).	Designate and manage 40,541 acres of BLM land as a wildlife habitat management area (WHMA). This acreage is in addition to the 61,419 acres of existing areas of critical environmental concern (ACECs), 166,860 acres of wilderness, and 90,009 acres of National Monument lands. These designations are consistent with the conservation areas being delineated through the Coachella Valley Multiple Species Habitat Conservation Plan for various species, including the flat-tailed horned lizard.
2. Define and implement management actions necessary to minimize loss or degradation of habitat.	<p>As part of the Bureau's policy for plan implementation, proposed extraction sites and new utility sites shall be surveyed for sensitive, threatened and endangered species prior to approval and appropriately mitigated. Guidance on what constitutes "appropriate mitigation" may be found in the rangewide management strategy for the flat-tailed horned lizard. BLM would confer or consult with the US Fish and Wildlife Service on all special status species.</p> <p>The plan proposes to establish habitat conservation objectives designed to protect the sensitive species which occupy the various habitat community types. Future activities would be required to conform to the habitat conservation objectives within conservation areas (WHMA, ACECs, wilderness, National Monument) thereby minimizing new surface disturbance in FTHL habitat.</p> <p>As part of the route designation process, one of the objectives is to minimize roads within flat-tailed horned lizard habitat which are prone to crushing by vehicles</p> <p>The Proposed CDCA Plan Amendment restricts wind park, communication sites, and sand and gravel mining areas to designated areas.</p>
3. Within the MAs, rehabilitate damaged and degraded habitat, including closed routes and other small areas of past intense activity. Methods to be used may include, but are not limited to, a) ripping or scarifying compacted soils, b) recontouring the surface, c) pitting or imprinting the surface, d) seeding with native plants, e) planting seedlings, f) irrigating, and g) barricading. These techniques are described briefly in Appendix 8.	Routes within conservation areas are either closed or limited to designated routes, especially in FTHL habitat. Rehabilitation of closed routes as well as installation of barriers is being conducted on the public lands, as a continuing long-term effort.

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Flat-Tailed Horned Lizard Range-wide Management Strategy	Proposed Coachella Valley California Desert Conservation Area Plan Amendment
4. Attempt to acquire through exchange, donation, or purchase from willing sellers all private lands within MAs.	Acquisition and exchange proposals would be required to meet the following criteria. Proposed acquisitions would: <ol style="list-style-type: none"> 1. Be acquired from willing sellers only; 2. Be conducted in coordination with the local jurisdictions; 3. Benefit the Coachella Valley conservation areas by a) directly augmenting public ownership in a sensitive area or b) diverting uses away from sensitive areas by providing opportunities elsewhere for recreation use including hiking, horseback riding, bicycling, off-highway vehicle use, and other activities; or 4. Improve the presence of a variety of biotic or abiotic habitat components under conservation management.
5. Maintain or establish effective habitat corridors between naturally adjacent populations.	The aforementioned acquisition criteria item number 4, seeks to improve the presence of a variety of biotic or abiotic habitat components under conservation management. This especially includes habitat corridors.
6. Coordinate activities and funding among the participating agencies and Mexican agencies.	While the Coachella Valley CDCA Plan Amendment planning boundary does not adjoin the international border with Mexico, the Palm Springs Field Office is currently involved in establishing natural resource management partnerships with Mexican agencies.
7. Promote the purposes of the strategy through law enforcement and public education.	Public education and law enforcement efforts are an integral and continuing part of BLM's land management mission. BLM will seek to establish additional partnerships through the CVMSHCP implementation strategy to expand opportunities for public education and law enforcement coverage.
8. Encourage and support research that will promote the conservation of FTHLs or desert ecosystems and will effectively define and implement necessary management actions, both within and outside of MAs and the RA. Planned actions 8.3 and 8.4 shall be emphasized, as recommended by the Conservation Team.	The CDCA Plan (1980, as amended) encourages and supports research endeavors. BLM issues numerous research permits for studies on BLM-managed land each year. Permits are stipulated to ensure the information gained from the research is made available to the BLM.
9. Continue inventory and monitoring	In partnership with the Center for Natural Lands Management and Preserve Management Committee, flat-tailed horned lizard inventory and monitoring efforts continue in the Coachella Valley Preserve. Inventory and monitoring efforts may be expanded in partnership with other land management agencies.

Santa Rosa and San Jacinto Mountains National Monument Management Plan. In October of 2000 Congress passed, and the President signed, the Santa Rosa and San Jacinto Mountains National Monument Act of 2000, creating a 272,000-acre national monument on BLM and Forest Service managed land. The Act requires that a National Monument Management Plan be cooperatively developed by BLM and USFS by the Fall of 2003.

BLM-managed lands within this National Monument are entirely within the Coachella Valley planning boundary. The National Monument includes Forest Service land within the San Jacinto District of the San Bernardino National Forest and BLM land within the

California Desert Conservation Area (CDCA). Both the San Bernardino National Forest and the CDCA are currently undergoing planning amendments/revisions. CDCA Plan Amendment decisions affecting the National Monument would be brought forward into the National Monument plan, as will US Forest Service plan revision decisions affecting the National Monument

The boundary of the Santa Rosa and San Jacinto Mountains National Monument also includes lands owned by private individuals as well as land owned and managed by the California Department of Fish and Game, California State Parks, Agua Caliente Band of Cahuilla Indians, University of California Natural Reserve System, the Palm Springs Aerial Tramway, the County of Riverside, and several cities. The Santa Rosa and San Jacinto Mountains National Monument Act of 2000 does not alter or have jurisdiction over the management of these or any other non-federal lands that exist within the bounds of the National Monument.

Multi-jurisdictional decisions resulting from the CVMSHCP would also be incorporated into the National Monument Plan. This includes the Santa Rosa and San Jacinto Mountains Trails Management Plan, which would propose trail management decisions applying to the many jurisdictions where trails cross.

The legislation establishing the National Monument also requires specific items be a part of the National Monument Plan. The CDCA Plan Amendment would be consistent with the specific actions called out in the Monument Legislation, including:

- ▶ Provisions for continued recreational use of the Monument will be identified.
- ▶ Except for administrative and emergency purposes, motorized vehicle use is permitted on designated routes only.
- ▶ Hunting, trapping and fishing within the Monument is allowed. In consultation with California Department of Fish and Game, zones and time periods where such uses may be disallowed to protect public safety, administration, public use and enjoyment will be identified.
- ▶ Adequate access to state and private lands will be provided.
- ▶ The need for public utility rights-of-way will be addressed.
- ▶ The maintenance of roadways, jeep trails, and paths will be addressed.
- ▶ Grazing leases/permits will be administered in accordance with existing law and regulations. The Wellman Family grazing permit will not be affected.
- ▶ Military, commercial and general aviation overflights will not be restricted.
- ▶ Commercial air tours (sightseeing) over the Monument are prohibited, unless such operation was conducted prior to February 16, 2000.
- ▶ Federal lands are withdrawn from land, mining, and mineral/geothermal entry.
- ▶ Lands or easements may only be acquired by willing donor/seller.
- ▶ Without further authorization by law, BLM and Agua Caliente Band of Cahuilla Indians may exchange lands.
- ▶ Nothing in this Act alters management of designated Wilderness areas, which remain subject to the Wilderness Act (Clarifying Amendments, Public Law 106-434; Nov. 6, 2000).

The Recovery Plan for the Peninsular Ranges Bighorn Sheep. When Congress passed the Endangered Species Act [16 U.S.C. 1531 et. seq.] in 1973, it set public policy that the people of the United States were to act to prevent the destruction of nature's resource diversity. The Act further declared that the policy of Congress is for federal agencies to seek to conserve endangered and threatened species and that they shall use their own authorities in furtherance of the purposes of the Act.

The Endangered Species Act, as amended, includes the requirement to develop and implement recovery plans (Section 4(f)). Recovery, or the arrest or reversal of the decline of an endangered or threatened species, is the cornerstone and ultimate purpose of the endangered species program. The Secretary of the Interior has delegated responsibility for endangered and threatened species recovery to the U.S. Fish and Wildlife Service (USFWS). Recovery plans identify actions which frequently require coordination among Federal, State, and local agencies, academic researchers, conservation organizations, private individuals, and major land users in order to be successful. However, the development and approval phases of recovery plans are excluded from National Environmental Policy Act of 1969 (NEPA) requirements because they are advisory in nature.

The Peninsular Ranges population of bighorn sheep (PRBS; *Ovis canadensis nelsoni*) was listed as endangered in 1998. In October of 2000, the USFWS completed the *Peninsular Ranges Bighorn Sheep Recovery Plan* which recommends actions to recover and protect this listed species. In February 2001, the USFWS designated critical habitat for the PRBS. Bureau of Land Management employees were consulted during preparation of the recovery plan. The Recovery Plan makes the following recommendations which are directly applicable to the CDCA Plan Amendment for the Coachella Valley (page citations are from the Recovery Plan):

1. Protect essential habitat, consisting of physical and biological resources needed for (1) normal behavior and protection from disturbance, and (2) individual population growth and movement, including dispersal to support a future population (pp. 69-70).
2. Acquire, or exchange to acquire, bighorn sheep habitat from willing landowners (p. 75).
3. Remove exotic vegetation and prevent further invasion by exotic plants, especially tamarisk (p. 77).
4. Reduce or eliminate wild horse populations from bighorn sheep habitat.
5. Implement a fire management plan in fire adapted habitats to help maintain bighorn sheep habitat (p. 78).
6. Maintain existing water sources and consider providing additional water sources on public lands (p. 79).
7. Maintain or re-establish connectivity through out all habitat (p. 79).
8. Construct fences to exclude bighorn sheep from urban area where they have begun or may begin using urban sources of food and water (p. 80).

9. Manage road use and aircraft activities to reduce or eliminate habitat fragmentation or interference with bighorn sheep resource use patterns (p. 89).
10. Conduct or approve monitoring and research activities on public land to support adaptive management, enhance understanding of human/sheep interactions, understand habitat relationships, understand predator relationships, and clarify factors affecting population trends. (pp. 89, 96-101).
11. Consider approval of predator removal activities on public lands (p. 93).
12. Consider approval of reintroduction and augmentation activities on public lands (p. 94).
13. Develop and implement education and public awareness programs (pp. 104-107).

Through the CVMSHCP, which will include a trails management plan for the Santa Rosa and San Jacinto Mountains, and the CDCA Plan Amendment, the BLM is considering a range of alternatives, each composed of a suite of actions and guided by the Recovery Plan recommendations listed above. The alternatives include habitat improvements (tamarisk control, water sources, etc.), land exchanges, land acquisitions, trails management, and limits to other activities. Altogether, the decisions regarding these actions will compose the strategy to be implemented on BLM-managed public lands in order to contribute to bighorn sheep population recovery. By means of these planning efforts, the alternative strategies for public lands are analyzed by an interdisciplinary team and with the benefit of public input and comment under NEPA, as well as plan-level consultation with the U.S. Fish and Wildlife Service.

On a more specific level, the Recovery Plan identified trails and areas with potential conflicts that should be addressed in an interagency trails management plan. The Recovery Plan also makes the following recommendations which are directly applicable to the trails management plan element of the CVMSHCP (an activity-level plan for BLM-managed lands):

1. Develop and implement a trails management program with affected land management agencies, scientific organizations, and user groups (pp. 86-89).
 - a) Prepare a public education and outreach program for trail users.
 - b) Confine dogs to designated areas and prohibit dogs in bighorn sheep habitat.
 - c) Apply seasonal restrictions on selected trails in lambing habitat between January 1 and June 30.
 - d) Seasonal restrictions may be appropriate for selected trails that lead to water sources.
 - e) Address possible seasonal restrictions, trail re-locations or permanent trail closures where restrictions cannot be enforced and relocations are not possible.
 - f) Use trails as a tool to focus use away from more sensitive areas.
 - g) Avoid constructing new trails, except for peripheral trails located on the edge of urban areas to relieve pressure on other sensitive trails and to discourage

- sheep use of urban areas. Where new trails are used impacts should be minimized.
- h) Maintain a uniformed agency presence during peak use period to educate the public, monitor compliance with trails rules, and enforce rules against violations.
2. Manage trail use to reduce or eliminate habitat fragmentation or interference with bighorn sheep resource use patterns (p. 89).

Through the trails management plan element of the CVMSHCP, a range of alternatives will be considered that represents different approaches to trails management recommendations expressed in the Recovery Plan. Similar to the broader Resource Management Plan decisions discussed above, an environmental impact analysis of the various approaches will be provided with the CVMSHCP. Trails management decisions, however, are more easily adapted over time because they do not require a plan amendment to modify them.

The Recovery Plan also makes recommendations which may be the subject of future activity planning, project planning, or environmental analysis prior to implementation. This is generally because the specific projects are not known, or additional more-detailed planning is necessary to develop and analyze specific proposals or alternatives. New actions outside the scope of the analysis completed for this plan would be subject to additional project-level consultation with U.S. Fish and Wildlife Service:

1. Prohibit use of goats as a pack animal on trails (p. 91).
2. Prohibit fences in which sheep may become entangled or strangled, or that block sheep movement in bighorn sheep habitat (p. 91).
3. Acquire, or exchange to acquire, bighorn sheep habitat from willing landowners (p. 75).
4. Remove exotic vegetation and prevent further invasion by exotic plants, especially tamarisk (p. 77).
5. Implement a fire management plan in fire adapted habitats to help maintain bighorn sheep habitat (p. 78).
6. Maintain existing water sources and consider providing additional water sources on public lands (p. 79).
7. Construct fences to exclude bighorn sheep from urban area where they have begun or may begin using urban sources of food and water (p. 80).
8. Manage road use and aircraft activities to reduce or eliminate habitat fragmentation or interference with bighorn sheep resource use patterns (p. 89).
9. Conduct monitoring and research to support adaptive management and to enhance understanding of human/sheep interactions (p. 89).
10. Consider approval of predator removal activities on public lands (p. 93).
11. Consider approval of reintroduction and augmentation activities on public lands (p. 94).

Agua Caliente Band of Cahuilla Indians Land Management Plan. The Agua Caliente Band of Cahuilla Indians is developing a Tribal Habitat Conservation Plan for the Agua Caliente Indian Reservation. The purposes of this plan are to balance environmental protection and economic development objectives for the Reservation and to simplify compliance with the Endangered Species Act. The Agua Caliente Indian Reservation encompasses over 31,400 acres of land in the Coachella Valley. The reservation includes Tribal trust land, allotted trust land, and both Tribal and non-Indian fee land, which is interspersed in a checkerboard pattern among public and private lands. The Tribal Habitat Conservation Plan and the Reservation have the same boundary, and the plan is intended to govern all development activities taking place within the Reservation. BLM-managed public lands adjoin Tribal lands in a number of locations throughout the Valley. BLM's CDCA Plan Amendment was developed in coordination with the Tribal Habitat Conservation Plan in order to facilitate consistency in land uses and habitat protection across the Coachella Valley. Furthermore, the Tribe and the BLM operate under a Cooperative Management Agreement and actively seek to find ways to engage in activities that improve land management compatibility, effectiveness and efficiency.

Santa Rosa Mountains Wildlife Habitat Management Plan: A Sikes Act Project (Sikes Act Plan): This Plan was jointly prepared and approved by BLM and the State of California Resources Agency, Department of Fish and Game in 1980. It described shared wildlife and habitat management objectives, as well as actions to implement those objectives. The California Department of Fish and Game Commission listed bighorn sheep in the Peninsular Ranges as "rare" in 1971 and changed that to "threatened" in 1984 under the California Endangered Species Act. In addition, bighorn sheep in the Peninsular Ranges are a fully protected species under California State Law.

Much of the Sikes Act Plan has been completed, has been affected by changes in law or conditions on the ground, or will need to be updated to ensure consistency with amendments to the CDCA Plan and recent designation of the Santa Rosa and San Jacinto Mountains National Monument. These changes to the Sikes Act Plan would be developed jointly with the California Department of Fish and Game, and may be subject to further environmental and public review depending on their significance. Because the Sikes Act Plan is an "activity level" plan for BLM, it would be updated outside the scope of the CDCA Plan Amendment process, in much the same manner the original Sikes Act Plan was created.

All of the Sikes Act Plan objectives and the following decisions in the Plan would be carried forward without modification:

1. Coordination of public access to California Department of Fish and Game lands and Anza Borrego Desert State Park lands will continue.
2. Coordination of public education with California Department of Fish and Game, local government agencies, University of California and others will continue.
3. Where appropriate, the BLM will secure reciprocal rights-of-way for public access when granting rights-of-way across BLM land.

4. Inventory and maintenance of water sources for bighorn sheep will continue.
5. An interpretive sign will be designed for placement at Vista Point on Highway 74.
6. Trespasses will continue to be addressed under existing regulations.
7. Survey and monitoring for Desert Slender Salamander, Magic Gecko and raptors will continue.

The following circumstances have changed since development of the Plan:

1. The California Desert Protection Act of 1994 established the Santa Rosa Wilderness Additions; the Wilderness Study Area designation and its boundaries are no longer applicable.
2. There no longer is a Sheffer Grazing Allotment on public lands in the Santa Rosa Mountains.
3. BLM and U.S. Forest Service lands have been designated as the Santa Rosa and San Jacinto Mountains National Monument, and thereby closed to mineral and agricultural entry, and sale, through an Act of Congress.
4. Flood control projects at Magnesia, Carrizo, Dead Indian and Bear Creek drainages have been completed.
5. Motorized-vehicle controls are in place for Dead Indian Canyon, Carrizo Canyon, and Martinez Canyon. The Martinez Canyon proposal identified in the Sikes Act Plan required modification to reflect the location of wilderness boundaries established by Congress through the California Desert Protection Act of 1994 for the Santa Rosa Wilderness Additions. The project design for controlling motorized-vehicle entry into Guadalupe Canyon was also modified to reflect location of the Congressionally-designated wilderness boundary; this project was completed in 2002.

Current planning efforts and provisions of the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 additionally affect provisions of the Sikes Act Plan and may necessitate its modification; potential plan amendment decisions and effects of the National Monument Act are described below:

1. Vehicle use designations referenced in the Sikes Act Plan for BLM-managed public lands will be superseded by plan amendment decisions.
2. The land exchange and acquisition program has been modified by the Santa Rosa and San Jacinto Mountains National Monument Act of 2000 and may be affected by decisions in this plan amendment.
3. Research and monitoring protocols are being redesigned based on Endangered Species Act listing of the bighorn sheep of the Peninsular Ranges and the subsequent Recovery Plan. They will also be affected by decisions in this plan amendment relative to research uses on BLM-managed public lands.
4. The location and design for water development proposals for sheep will be re-evaluated at the project level (case-by-case) based on management direction set in the CDCA plan amendment.
5. The conclusion that no protective measures for water sources are necessary beyond the seasonal restrictions in place at Carrizo Canyon and Magnesia

Springs Ecological Reserves (State lands) may be modified by decisions in the Santa Rosa and San Jacinto Mountains Trails Management Plan, an element of the CVMSHCP.

6. Bighorn sheep transplant decisions require updating based on the ESA listing and the subsequent Recovery Plan. Decisions in this plan amendment may also affect transplants onto BLM-managed public lands.
7. Management guidelines for BLM-managed public lands set by the Sikes Act Plan regarding recreation, public access, trails, roads, fences, grazing, exotic plants and animals, science, education, and mining will be updated and modified by decisions in this plan amendment and the Santa Rosa and San Jacinto Mountains Trails Management Plan.

Coachella Valley PM10 State Implementation Plan (2002). The South Coast Air Quality Management District (AQMD), pursuant to the California Environmental Quality Act (CEQA), has reviewed the draft 2002 Coachella Valley PM10 State Implementation Plan (2002 CVSIP) and prepared a draft Negative Declaration for 30 days public review and comment period ending May 29, 2002.

In the Coachella Valley, PM10 sources include construction activities, vehicular activity on paved and unpaved roads, and windblown emissions from disturbed surfaces. AQMD staff will also provide a review of high-wind natural events that will be excluded from the PM10 attainment determination, per the U.S. Environmental Protection Agency (EPA) Natural Events Policy.

Due to exceedance of the 24-hour and annual average PM10 standards, EPA classified Coachella Valley as a serious PM10 non-attainment area on February 8, 1993. Under the Federal Clean Air Act (CAA), areas that are classified as serious PM10 non-attainment are required to attain the PM10 standards by December 31, 2001. CAA Section 188(e) further states that the U.S. Environmental Protection Agency is allowed to extend the attainment date for up to five years if attainment by 2001 is not practicable. After several years of demonstrating attainment of the PM10 standards, the Coachella Valley was not in attainment by December 31, 2001, based on PM10 air quality data from 1999-2001.

The purpose of the 2002 CVSIP is to develop an enhanced PM10 reduction program that demonstrates attainment with the PM10 standards by the earliest practicable date and to provide the necessary supporting documentation to formally request an extension of the PM10 attainment date.

Coachella Valley PM10 reduction efforts began in the early 1990s with adoption of dust control ordinances by local jurisdictions, development of a clean streets management program, and AQMD rules to reduce emissions from man-made PM10 sources. As a result, the Coachella Valley experienced three years (1993 - 1995) without a PM10 exceedance and the AQMD prepared and adopted the 1996 Coachella Valley PM10 Attainment Redesignation Request and Maintenance Plan.

Despite previous efforts, the Coachella Valley exceeded the annual average PM₁₀ standard of 50 mg/m³ during the years 1999 to 2001. As mentioned, the CAA allows an extension of the attainment date for up to five years provided that: (1) all previous SIP commitments have been implemented, (2) a demonstration that attainment by 2001 is not practicable, (3) documentation that all feasible Most Stringent Measures (MSM) are being implemented, and (4) a demonstration that the expected attainment date is the most expeditious date practicable.

In conjunction with the Coachella Valley Association of Governments, local jurisdictions, government agencies (including BLM), developers/builders, farmers, other stakeholders and the public, AQMD staff prepared the 2002 CVSIP that includes:

- a summary of previous dust control plans and regulations;
- latest PM₁₀ air quality;
- revised emissions inventory and emissions budget for transportation conformity;
- the required most stringent measures (MSM) analysis;
- control strategy and attainment demonstration;
- Natural Events Action Plan update; and
- official request for extension of the PM₁₀ attainment deadline.

The control strategy is based on enhancements to the current federally-approved dust control ordinances and AQMD rules. Control measures will incrementally improve dust control and compliance for construction and other earth moving projects, farming operations, paved and unpaved roadways, open vacant lands, and unpaved parking lots. New measures include increased construction signage, construction dust monitors, stricter track-out control measures, agricultural best management practices, ensuring limited access or control of vacant lands, stabilizing or paving of unpaved shoulders, medians, and unpaved roads, and additional control of unpaved parking lots. New test methods and requirements for notification and record keeping are also proposed.

Under federal Clean Air Act provisions, U.S. EPA can grant up to a five-year extension of the 2001 PM₁₀ deadline. AQMD staff, in cooperation with local stakeholders, prepared the 2002 Coachella Valley PM₁₀ State Implementation Plan (2002 CVSIP), which includes a request for extension of the PM₁₀ deadline and meets all applicable federal CAA requirements. The control measures represent enhancements to the existing local dust control ordinances, AQMD rules, and SIP commitments. The 2002 CVSIP relates to plan amendment decisions regarding designation of the vehicle route network on public lands, designation of off-highway vehicle use areas, closure of areas to vehicle use to reduce dust emissions, and mitigation requirements for authorized activities on public lands within the planning area.

The 2002 CVSIP was adopted by the AQMD Governing Board on June 21, 2002 and has subsequently been forwarded to the California Air Resources Board (CARB) and the U.S. EPA for approval. Based on a request from U.S. EPA, an addendum to the 2002 CVSIP was adopted by the AQMD Governing Board on September 13, 2002 and it has also been subsequently forwarded to the CARB and U.S. EPA for approval as

part of the final 2002 CVSIP. For more information on the 2002 Coachella Valley PM10 State Implementation Plan, contact Ms. Martha Lucero, Public Advisor's Office, 21865 East Copley Drive, Diamond Bar, CA 91765, (909) 396-2039, or Michael Laybourn, South Coast AQMD, Planning and Rules, 21865 East Copley Drive, Diamond Bar, CA 91765, 909-396-3066 or by E-mail at mlaybourn@aqmd.gov.

General Plans and Management Plans prepared by Local Jurisdictions, Native American Tribes, and State Agencies. The BLM shall coordinate with the local jurisdictions, Native American Tribes and State Agencies to facilitate consistency with plans prepared by these entities, to the legal extent feasible under Federal law, regulation and policy.

The Northern and Eastern Colorado Desert Coordinated Management Plan (NECO Plan). BLM's Proposed NECO Plan provides a comprehensive framework for managing species and habitats, including recovery of the desert tortoise, on Federal lands managed by the BLM, National Park Service (Joshua Tree National Park), and the U.S. Marine Corps (Chocolate Mountains Aerial Gunnery Range) in eastern San Bernardino, Riverside, and Imperial Counties. The Draft Plan and Environmental Impact Statement was released for public review on February 26, 2001. The public comment period ended June 25, 2001. The Proposed Plan and Final Environmental Impact Statement was released in July 2002. The protest period ended September 3, 2002.

The western edge of the NECO plan overlaps the CVMSHCP planning area by about 330,000 acres, all in Riverside County. It is anticipated that the NECO Plan will be completed first. The CVMSHCP will serve as a habitat conservation plan, so decisions will apply to Federal, State and private lands. Even though the respective planning leads have been coordinating to facilitate consistency in the overlap area, some NECO Plan decisions may require amending in order to complete the CVMSHCP.

The West Mojave Desert Plan. The West Mojave Desert Plan encompasses 9.4 million-acres throughout most of California's western Mojave Desert. It extends from Olancho in Inyo County on the north, to the San Gabriel and San Bernardino Mountains on the south, and from the Antelope Valley on the west, to the Mojave National Preserve on the east. About one third of the planning area is private land, another third is within military bases, and the final third consists of public lands managed by BLM. Approximately 150,000 acres of the West Mojave planning boundary overlaps with the Coachella Valley planning boundary within both Riverside and San Bernardino Counties.

The West Mojave Plan is being jointly prepared by local jurisdictions, the Department of Defense and BLM. The completed plan would serve as a habitat conservation plan and would enable the U.S. Fish and Wildlife Service and the California Department of Fish and Game to issue programmatic biological opinions, incidental take permits and "no surprises" assurances to each of the participating agencies, thereby streamlining issuance of "take" permits for private development interests and military operations. The draft plan is currently under preparation and scheduled for public release in late

2002 or early 2003. The BLM planning team leads for the West Mojave and Coachella Valley plan are working together to ensure consistency between the two plans in the overlap area.

1.6 Planning Criteria

Planning criteria are parameters (or “sideboards”) which guide development of the plan amendment, to ensure the planning process is tailored to the issues and to avoid unnecessary data collection and analyses. Planning criteria are generally based on standards prescribed by applicable Federal laws, regulations, Executive Orders, BLM Manual and policy, and the result of coordination with the public, Tribes, and other Federal, State and local government agencies.

1.6.1 Criteria Specific to the CDCA Plan Amendment

In addition to the standard suite of laws, regulations, Executive Orders, BLM Manual and policy criteria which guide all BLM planning and environmental review documents, the following criteria were specifically established to guide development of the California Desert Conservation Area (CDCA) Plan Amendment for the Coachella Valley:

- ▶ This CDCA Plan Amendment for the Coachella Valley shall be completed by December 31, 2002.
- ▶ As this Coachella Valley planning effort is an amendment to and not a revision of the CDCA Plan (1980, as amended), any CDCA Plan elements not addressed nor specifically changed through this plan amendment shall remain extant and in effect.
- ▶ The planning boundary for the NECO Plan overlaps the eastern portion of the Coachella Valley planning boundary. BLM staff working on the Coachella Valley Plan Amendment has coordinated with staff working on the NECO Plan to ensure consistency between the two plans.
- ▶ The planning boundary for the West Mojave Plan overlaps the northwest portion of the Coachella Valley planning boundary. BLM staff working on the Coachella Valley Plan Amendment is coordinating with staff working on the West Mojave Plan to ensure consistency between the two plans.
- ▶ Any proposals promulgated through this Coachella Valley planning effort shall be in compliance with the California Desert Protection Act of 1994 and the Santa Rosa and San Jacinto Mountains National Monument Act of 2000.

1.6.2 Laws, Regulations and Policies

There is a broad range of Federal laws, regulations and policies guiding development of this Coachella Valley CDCA Plan Amendment, including but not limited to:

- ▶ Federal Land Policy and Management Act of 1976
- ▶ Title 43 Code of Federal Regulations (CFR) (Regulations related to public lands)
- ▶ BLM Manual 1601 and 43 CFR 1610 (BLM’s planning guidance and regulations)

- ▶ National Environmental Policy Act of 1969 and Title 40 CFR Part 1500.
- ▶ Endangered Species Act of 1973, as amended
- ▶ California Desert Protection Act of 1994 and the Wilderness Act of 1964
- ▶ Wild and Scenic Rivers Act of 1968
- ▶ Wild Horse and Burro Act of 1971
- ▶ Taylor Grazing Act of 1929 and the Rangeland Improvement Act
- ▶ Clean Water and Clean Air Acts
- ▶ Santa Rosa and San Jacinto Mountains National Monument Act of 2000
- ▶ The President's National Energy Policy (Executive Order 13212)
- ▶ Native American Consultation per Executive Orders 12866, 13084, et al.
- ▶ Protocol Agreement (1998) with the State Historic Preservation Office

Federal Land Policy and Management Act of 1976 (FLPMA). FLPMA establishes the authority and provides guidance for how the public lands are to be managed by the Bureau. The following is a highlight of FLPMA sections that are especially pertinent to this planning process.

Multiple Use. In accordance with FLPMA, BLM is directed to manage the public lands on the basis of multiple use and sustained yield unless otherwise specified by law. FLPMA also requires that the public lands are to be managed in a manner which will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource and archeological values. Multiple use does not imply that all uses are available on all parcels of public land. In order to minimize land use conflicts, public lands containing sensitive values and dedicated for conservation may have additional restrictions. Some lands outside more sensitive areas may be used more intensively for a variety of social or economic purposes.

In the CDCA plan, public lands are assigned a multiple use classification (MUC) according to the allowable level of multiple use. Class C (Controlled Use) designation is the most restrictive, and is assigned to wilderness and wilderness study areas with minimal levels of multiple use. Class L (Limited Use) lands are managed to provide lower-intensity, carefully controlled multiple use of resources while ensuring that sensitive values are not significantly diminished. Class M (Moderate Use) lands are managed to provide for a wider variety of uses such as mining, livestock grazing, recreation, utilities and energy development, while conserving desert resources and mitigating damages permitted uses may cause. Class I (Intensive Use) provides for concentrated uses of lands and resources to meet human needs. Mitigation of impacts and rehabilitation of impacted areas would be implemented to the reasonable extent possible. Scattered and isolated parcels of public land in the CDCA that have not been assigned an MUC are unclassified. Through the CDCA plan amendment process, BLM may consider whether any lands should receive a different MUC in order to better meet BLM's goals and objectives.

Valid Existing Rights. This proposed plan amendment applies only to BLM-managed Federal lands, and does not apply to private nor other government agency lands except to the extent a management agreement exists between BLM and the landowner. Nothing in this proposed plan amendment shall have the effect of terminating any validly issued right-of-way, or customary operation, maintenance, repair and replacement activities in such right-of-ways issued in accordance with Section 509(a) and 701(a) of FLPMA.

Areas of Critical Environmental Concern (ACECs). FLPMA [202(c)(3)] also authorizes BLM to designate Areas of Critical Environmental Concern that are areas requiring special management attention to protect important historic, cultural or scenic values, fish and wildlife resources, natural systems and processes, or to protect life and safety from natural hazards. ACECs are designated through the BLM planning process in accordance with 43 CFR 1610.7-2. Unlike Congressionally designated wilderness, ACEC designation does not automatically define a specific set of management actions, such as closing an area to motorized vehicles.

Proposed ACECs and expansions must meet the criteria for relevance and importance established in 43 CFR 1610.7-2(a) prior to designation. Relevance means that "there shall be present a significant historic, cultural, or scenic value; a fish or wildlife resource or other natural system or process; or natural hazard." Importance means that "the above described value, resource system, process or hazard shall have substantial significance and values. This generally requires qualities of more than local significance..." In addition, the BLM must determine whether the resources or values that meet the criteria require special attention and therefore, warrant designation as an ACEC. A discussion of the relevance and importance of the resources contained within the proposed ACECs and proposed ACEC expansion areas are included in the "Affected Environment" section of this document. Decisions and actions are then designed to manage an ACEC in a manner consistent with the relevant and important values for which it was designated.

Endangered Species Act. Development projects on private and public lands are subject to the Federal Endangered Species Act of 1973, as amended (ESA). The ESA directs proponents to consult with the USFWS in order to ensure the continued existence of threatened and endangered species and avoid adverse modification of designated critical habitat. Consultation results in the issuance of a Biological Opinion and a Section 10(a) (for non-federal actions) or a Section 7 (for Federal actions) permit by the USFWS.

Since the inception of the CDCA Plan, BLM has consulted with USFWS on a number of programs and projects that may have affected listed species under the Endangered Species Act. The biological opinions issued under those consultations would continue to be applicable in the planning area.

Area and Route Designation Criteria. As required by 43 CFR 8342.1, the designation of public lands as either open, limited or closed to off-road vehicles, and the designation of routes, shall be based on the protection of the resources of the public lands, the promotion of the safety of all the users of the public lands, the minimization of conflicts among various uses of the public lands; and in accordance with the following criteria:

- ▶ Areas and routes shall be located to minimize damage to soil, watershed, vegetation, air, or other resources of the public lands, and to prevent impairment of wilderness suitability.
- ▶ Areas and routes shall be located to minimize harassment of wildlife or significant disruption of wildlife habitats. Special attention will be given to protect endangered or threatened species and their habitats.
- ▶ Areas and routes shall be located to minimize conflicts between off-road vehicle use and other existing or proposed recreational uses of the same or neighboring public lands, and to ensure the compatibility of such uses with existing conditions in populated areas, taking into account noise and other factors.
- ▶ Areas and routes shall not be located in officially designated wilderness areas or primitive areas. Areas shall be located in natural areas only if the authorized officer determines that off-road vehicle use in such locations will not adversely affect their natural, esthetic, scenic, or other values for which such areas are established.

President's National Energy Policy. As outlined in Executive Order 13212 of May 18, 2001, agencies shall take appropriate actions, to the extent consistent with applicable law, to expedite projects that will increase the production, transmission, or conservation of energy. Agencies are required to identify in their land use plans areas with high potential for energy development, high mineral value, and areas necessary for energy-related infrastructure. In accordance with Washington D.C. Office Instruction Memorandum No. 2002-053, agencies must take into consideration the impacts of proposed actions on energy development, production, supply and/or distribution. The Coachella Valley CDCA Plan Amendment would not modify utility corridors approved through the 1980 Plan, as amended.

Guidance on general habitat management. In addition to the nine formally listed endangered species in the Coachella Valley, there are an additional 20 species that have special status under State and Federal regulation. BLM proposes to address habitat conservation at the landscape level in cooperation with other jurisdictions in the Coachella Valley. This multiple jurisdiction approach focuses on establishing core reserves, providing corridors linking reserves, and maintaining ecological processes important to endemic species in the Coachella Valley in accordance with the following general principles of conservation biology:

- ▶ Conservation areas that encompass a species' native range will be more successful in preventing extinction than areas confined to small portions of a species' range.
- ▶ Large blocks of habitat containing large populations of the species are superior to

- small blocks of habitat containing small populations.
- ▶ Blocks of habitat that are close together are better than blocks far apart.
- ▶ Habitat that occurs in less fragmented, contiguous blocks is preferable to habitat that is fragmented.
- ▶ Habitat patches that minimize edge-to-area ratios are superior to those that do not.
- ▶ Interconnected blocks of habitat are more effective than isolated blocks, and corridors or linkages function better when the habitat serves the needs of the target species.
- ▶ Heterogeneous terrain and vegetation should be included in the conservation areas.
- ▶ Some geographically isolated populations should be included in the conservation areas to reduce the potential for catastrophic effects.

Land Health. BLM's grazing regulations in Part 43 CFR 4180 require that State Directors, in consultation with Resource Advisory Councils, develop Standards of Rangeland Health and Guidelines for Grazing Management. The grazing regulations require that Standards be in conformance with the "Fundamentals of Rangeland Health" (BLM policy developed in 1993) and that the Standards and Guidelines address each of the "guiding principles" as defined in the regulations. Soon after rangeland health standards and guidelines were developed in the 1990's, the Bureau issued policy requiring BLM land use plans to incorporate land health standards for all activities occurring on public lands. The goal is to improve ecological conditions on the public lands, based upon attainment and maintenance of basic fundamentals for healthy systems.

Cultural Resources. The BLM is responsible for consideration of the effects of its actions on historic properties, regardless of land ownership. These responsibilities are defined under the Antiquities Act of 1906, and the Historic Sites Act of 1935, the National Historic Preservation Act of 1966, the Archaeological Resources Protection Act, and the Native American Graves and Repatriation Act. The 36 CFR 800 procedures relative to the National Historic Preservation Act of 1966 (as amended) will be followed pursuant to the State Protocol Agreement (1998) between the California State Director of the Bureau of Land Management and the California State Historic Preservation Officer.

Native American Consultation. The BLM must take into consideration how its actions may affect Tribal cultural resources and religious values. Executive Orders 12866 of September 30, 1993, 13084 of May 14, 1998, and Executive Memorandum of April 29, 1994 direct Federal agencies to establish formal consultation protocols with Indian tribes to ensure that the rights of sovereign tribal governments are fully respected. The BLM has drafted a formal agreement that establishes this protocol. A signed protocol is in effect between the BLM and the Agua Caliente Band of Cahuilla Indians. Consultation protocols have been submitted for review and discussion with the Augustine Band of Mission Indians, Cabazon Band of Mission Indians, Cahuilla Band of Mission Indians, Morongo Band of Mission Indians, Santa Rosa Band of Mission

Indians, and the Torres-Martinez Desert Cahuilla Indians. Per Departmental Manual 3030 DM 2, the BLM is required to make a determination on whether public land activities could impact trust assets. If a potential impact exists, consultation with the tribe must be initiated to mitigate impacts. As the planning area adjoins tribal lands in several locations, an analysis and consultation will be conducted through the planning process.

Clean Water Act. Growing public awareness and concern for controlling water pollution led to enactment of the Federal Water Pollution Control Act, as amended. This law became commonly known as the Clean Water Act. The Act established the basic structure for regulating discharges of pollutants into the waters of the United States. It gave the Environmental Protection Agency the authority to implement pollution control programs such as setting wastewater standards for industry and continued requirements to set water quality standards for all contaminants in surface waters. The Act made it unlawful for any person to discharge any pollutant from a point source into navigable waters, unless a permit was obtained under its provisions. It recognized the need for planning to address the critical problems posed by non-point source pollution. Through the Act, a grant program was established called the State Water Pollution Control Revolving Fund, to address water quality needs by building on Environmental Protection Agency and State partnerships.

California's Porter-Cologne Water Quality Control Act is the principal law governing water quality in the state. This statute established the State Water Resources Control Board and nine Regional Water Quality Control Boards. Together these bodies oversee water policy for all surface waters, wetlands, ground water and for point and non-point pollution sources. The Coachella Valley is part of the Colorado River Basin Region and is under the jurisdiction of the Region 7 Water Quality Control Board. In 1994, this Board issued a Water Quality Control Plan, which identified existing and potential beneficial uses of waters and established water quality objectives to protect these areas. The plan also contains an implementation surveillance and monitoring plan. In 1998 a federal Clean Water Action Plan was initiated to help states and tribes restore and sustain the health of aquatic systems on a watershed basis. This plan requested that states and Tribes develop a Unified Watershed Assessment (UWA) to guide allocation of new federal resources for watershed protection. The final California Watershed Assessment identified 66 Priority Category I watersheds throughout the state. These watersheds are defined by the Clean Water Action Plan as candidates for increased restoration due to impaired water quality or other impaired natural resource goals. The Coachella Valley is located within the 7,200 square mile Salton Sea Category I watershed.

Clean Air Act. The Coachella Valley is in non-attainment with national air quality standards for ozone and particulate matter. All BLM management decisions within non-attainment areas require a conformity analysis to determine whether the proposed activities could impede state efforts to achieve attainment with national ambient air quality standards. A conformity analysis will be conducted for all relevant alternatives considered in the plan amendment. Any reductions to air quality impacts on the BLM-

managed lands may serve as credit for increased air quality impacts elsewhere on the BLM-managed lands.

The San Geronio and San Jacinto wilderness areas, and the wilderness portions of Joshua Tree National Park are designated Class I air quality areas. (The Santa Rosa and San Jacinto Mountains National Monument is a Class II airshed.) Class I areas exceed national standards for air quality and are assigned the most stringent air quality standards in order to protect this status. This plan amendment considers the potential impacts of proposed actions to these Class I airsheds.

1.6.3 Relationship to the Center for Biological Diversity, et al. Lawsuit Settlement

Two closely related lawsuit stipulations with December 31, 2002 as the operative date affect the planning schedule for this CDCA Plan Amendment, one directly and the other indirectly. Both are amendments to previous lawsuit settlement stipulations (Case No. C-00-0927 WHA. U.S. District Court, Northern District of California, San Francisco Division).

Paragraph 5 of *Stipulation and Proposed Order to Amend Prior Stipulations*, approved by U.S. District Court, Northern District of California, San Francisco Division on January 31, 2002, amends the All Further Injunctive Relief Stipulation to require that "BLM will issue a Record of Decision regarding route designation in NECO, NEMO desert tortoise Desert Wildlife Management Areas [DWMAs], and the Coachella Valley by December 31, 2002."

Paragraph 15 amends the Bighorn Sheep Stipulation. This provision reads in part: "If the BLM Record of Decision for the Coachella Valley Multiple Species Habitat Conservation Plan Amendment (CVMSHCP) is not signed by December 31, 2002, BLM will close to vehicles and effectively block by January 1, 2003 all known routes providing unauthorized vehicle access onto the Dunn Road. In the interim, until a BLM Record of Decision for the plan is signed, BLM will, by April 1, 2002, install and maintain signs on all known roads providing access to the Dunn Road that indicate that access to the Dunn Road is prohibited."

The first stipulation amendment requires all route designations to be completed by December 31, 2002. The second stipulation amendment requires implementation of specific route closures for Dunn Road and tributary routes if BLM's plan amendment is not complete by December 31, 2002. In order to allow meaningful public participation and to conduct an adequate analysis, the route designation process is an integral part of the plan amendment, and both must be completed by December 31, 2002. Route designation has always been part of BLM's plan amendment process, based on the public notice of June 28, 2000, public scoping meetings in July of 2000, and the April 12, 2002 notice addendum describing proposals, alternatives and issues being addressed. To treat route designation separately would require re-initiation of public scoping and the public process relative to the routes. The relationship of route designation to landscape level land management, such as the proposed air quality

management strategy and the proposed bighorn sheep management strategy, would be lost if the full plan amendment was not completed. For these reasons, route designation remains part of the BLM plan amendment process.

The Dunn Road is subject to an existing temporary closure that has been in effect since October 1, 2000 (65 FR 52126-52127). The Dunn Road and tributary routes do not receive general public access now, either because there are no public easements across private or State, or because they have historically been behind locked gates.

Except for temporary closures issued under 43 CFR 8341.2 and 8364.1, route designations are conducted through the land use planning process with public input in accordance with the regulations at 43 CFR 1610 and 8342.2(a) and 40 CFR 1500. This CDCA Plan Amendment is being prepared in accordance with the regulations at 43 CFR 1610 and 8342.2(a) and 40 CFR 1500, and includes route designation for the Coachella Valley. Route designation in the Dunn Road area is part of a suite of options designed cumulatively to support recovery of bighorn sheep populations while allowing for appropriate public land uses. In reading the two stipulations together, it is necessary to complete this plan amendment by December 31, 2002 in order to accomplish the following:

1. Consideration of a range of alternatives relative to route designation in the Dunn Road vicinity;
2. Integration of route designation into the overall land management program for BLM-managed public lands in the Coachella Valley;
3. Integration of route designation decisions with other components of the overall recovery strategy on public lands within the planning area for bighorn sheep of the Peninsular Ranges;
4. Full public disclosure and participation in the decision making processes described in the three items above; and
5. Compliance with BLM national policy and both lawsuit stipulations, as well as consistency with an already established public planning process.

Absent the lawsuit requirements, the schedule for public review and decision making might have been delayed slightly in order to track very closely with the timing of the non-federal portion of the Coachella Valley Multiple Species Habitat Conservation Plan / Natural Communities Conservation Plan (CVMSHCP). The BLM has been working closely with the Coachella Valley Association of Governments, the Coachella Valley Mountains Conservancy and the local jurisdictions since 1996 to develop this Proposed CDCA Plan Amendment in tandem with the Coachella Valley Multi-Species Habitat Conservation Plan, including coordination of alternatives in areas with intermingled or adjacent jurisdictions. The Proposed Coachella Valley CDCA Plan Amendment provides the framework to support the landscape-level approach to conservation and providing for community needs. Upon completion of the CVMSHCP, the BLM proposes to adopt the CVMSHCP as an activity (implementation) level plan, tiered to BLM's Coachella Valley CDCA Plan Amendment.

1.6.4 Trails Management Plan Guidance

The Santa Rosa and San Jacinto Mountains Trails Management Plan is being prepared under separate regulatory authority than the CDCA Plan Amendment for the Coachella Valley. This trails management plan is an element of the Coachella Valley Multiple Species Habitat Conservation Area Plan (CVMSHCP). Relative to BLM-managed lands, it is an activity level (also known as implementation level) plan prepared in accordance with BLM Manual 8322 and is not subject to the 43 CFR 1610 planning regulations. Due to the importance of coordinated, multi-jurisdictional trail management, a Record of Decision for the trails management plan as it applies to BLM-managed lands will not be issued until completion of the CVMSHCP. At such time, the BLM portion of the approved trails management plan may be appealed to the Interior Board of Land Appeals in accordance with the regulations at 43 CFR 4.4. The trails management plan must be in conformance with and is tiered to the Coachella Valley CDCA plan amendment under Chapter 2, the section addressing “Hiking, Biking and Equestrian Trails,” and will be part of the overall contribution of public land management in support of recovery of bighorn sheep populations.

In an effort to (1) “benchmark” the progress made to date through consultations with the local jurisdictions and wildlife agencies and (2) provide the public a clear indication of the range of alternatives being evaluated given the level of interest and involvement in this component of the sheep recovery strategy, the BLM included draft trails management plan alternatives with the Draft CDCA Plan Amendment for the Coachella Valley and Environmental Impact Statement released for public review in June 2002. Many of the public included comments about the draft trails management plan along with their comments on the CDCA Plan Amendment. Comments on the trails management plan are not addressed in this document. Instead, these comments will be analyzed and used to refine the alternatives to appear in the draft CVMSHCP. Response to these comments will be included with the draft CVMSHCP, and the public will have another opportunity to submit comments on a proposed Trails Management Plan.